



SFW

Atty. Dkt. No. 016790-0432

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rafael STORZ et al.
Title: METHOD FOR ILLUMINATING
AN OBJECT WITH LIGHT FROM
A LASER LIGHT SOURCE
Appl. No.: 09/939,726
Filing Date: 08/28/2001
Examiner: R. Fuller
Art Unit: 2851

SUBSTANCE OF INTERVIEW

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In view of the Personal Interview held on April 13, 2004, Applicants submit that the Interview Summary (a copy of which is attached) provides a complete and proper recodation of the substance of the interview, per MPEP §713.04, with the exception that all of the claims were discussed, either actually, by reference to similar claims, or by discussing higher level claims (e.g., independent claims, claims from which other claims depend, etc.).

Applicants sincerely thank Examiner Fuller for extending the courtesy of the in-person interview.

Examiner Fuller is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

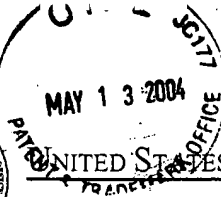
By

A handwritten signature in black ink, appearing to read 'Martin J. Cosenza', written over a horizontal line.

Martin J. Cosenza
Attorney for Applicant
Registration No. 48,892

Date May 13, 2004

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 295-4747
Facsimile: (202) 672-5399



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,726	08/28/2001	Rafael Storz	016790-0432	2703

22428 7590 04/16/2004

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

FULLER, RODNEY EVAN

ART UNIT PAPER NUMBER

2851

DATE MAILED: 04/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

MAY 13 2004

Interview Summary

Application No.

09/939,726

Applicant(s)

STORZ ET AL.

Examiner

Rodney E Fuller

Art Unit

2851

All participants (applicant, applicant's representative, PTO personnel):

(1) Rodney E Fuller.

(3) _____.

(2) Martin Cosenza.

(4) _____.

Date of Interview: 13 April 2004.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☒ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: 1,4 and 6-8.

Identification of prior art discussed: Karpol, et al. (US 6,369,888) and Podoleanu, et al. (US 5,975,697).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Rodney Fuller
Primary Examiner



Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Regarding claim 1, the applicant amended the claim to include the limitation of a microscope. The examiner maintains that Karpol teaches a confocal microscope, even though it does not expressly use the term "microscope." Regarding claim 4, the applicant argues that Karpol does not utilize a modulator that is either a mirror, a lens or a beam splitter. The examiner acknowledges that Karpol teaches the use of only an acousto-optic or electro optic modulator and not a mirror, a lens or a beam splitter a modulator. However, the examiner noted that Podoleanu discloses the use of different types of modulators to modify the phase angle of the light. Therefore, Podoleanu may after review provide an obvious rejection. Regarding claim 6, the examiner acknowledges that the modulator is not moved in Karpol. However, the examiner maintains a control element must be used with a modulator. Regarding claim 7, the examiner acknowledges that Karpol does not use a piezo element. However Podoleanu discloses the use of a piezo element as a modulator. Regarding claim 8, the examiner acknowledges that Karpol does not teach wherein the modulator influences the laser light source.